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EXAMINER

LEON, EDWIN A

ART UNIT

PAPER NUMBER

2833

DATE MAILED: 09/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/841,225

Applicant(s)

BELOPOLSKY ET AL.

Examiner

Edwin A. León

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/3/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-16 and 18-20 is/are rejected.
- 7) ☒ Claim(s) 9 and 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 23 January 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration filed June 3, 2003 has been place of record in the file as Paper No. 14.
2. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Specification

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," "comprises", etc.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-8, 10-16 and 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Hammond et al. (U.S. Patent No. 6,394,853). With regard to Claims 1 and 13, Hammond et al. discloses a modular jack connector (5), comprising: a ground shield (10) defining a receiving cavity (17) open at a plug receiving face; a dielectric housing (22,30,60) mounted inside the ground shield receiving cavity (17), the dielectric housing (22,30,60) defining a plug receiving cavity (29) open on a first face thereof and an insert receiving cavity (19) open to the plug receiving cavity (29); a plurality of first terminal contacts (eight contacts (35) in a row) mounted to the dielectric housing (22,30,60), each of the first terminal contacts (eight contacts (35) in a row) having a spring beam (upper part of contact 35) and tail end portion (part of 35 connected to 30), wherein the spring beam (upper part of contact 35) portion extends within the plug receiving cavity (29); a plurality of second terminal contacts (four contacts spaced for the first contacts) mounted to the dielectric housing (22,30,60), each second terminal contact having a spring beam (upper part of contact 35) and tail end portion (part of 35 connected to 30), wherein the spring beam (upper part of contact 35) portion extends within the plug receiving cavity (29) and wherein certain of the tail end portions (part of 35 connected to 30) of the second terminal contacts (four contacts spaced for the first contacts) are electrically connected to certain of the tail end portions (part of 35

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connected to 30) of the first terminal contacts (eight contacts (35) in a row); and a switching block (50) positioned to slideably move within the insert receiving cavity (19); whereby insertion of a plug having a switching protrusion into the plug receiving cavity (29) of the connector (5) contacts and moves the switching block (50) away from the plug receiving cavity (29) breaking the electrical connections. The method limitations are deemed inherent. See Figs. 1-5A and Column 5, Lines 4-34.

With regard to Claim 2, Hammond et al. discloses the plurality of first terminal contacts (eight contacts (35) in a row) being mounted in a plurality of first contact receiving recesses in the dielectric housing (22,30,60) and the plurality of second terminal contacts (four contacts spaced for the first contacts) are mounted in a plurality of second contact receiving recesses. See Figs. 1-5A and Column 5, Lines 4-34.

With regard to Claim 3, Hammond et al. discloses the contact receiving recesses (37) being substantially separated from each other. See Figs. 1-5A and Column 5, Lines 4-34.

With regard to Claims 4 and 14, Hammond et al. discloses the certain of the tail end portions (part of 35 connected to 30) of the second terminals (four contacts spaced for the first contacts) being electrically connected to the certain of the tail end portions (part of 35 connected to 30) of the first terminal contacts (eight contacts (35) in a row) by a plurality of switching contacts (66). See Figs. 1-5A and Column 5, Lines 4-34.

With regard to Claim 5, Hammond et al. discloses the electrical connections being broken by the switching block (50) engaging the switching contacts (66). See Figs. 1-5A and Column 5, Lines 4-34.

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With regard to Claim 6, Hammond et al. discloses each of the certain tail end portions (part of 35 connected to 30) of the first terminal contacts (eight contacts (35) in a row) further comprising a switching pad (bottom part of 35) and each of the switching contacts (66) comprising a mating portion (bottom part of 66), the switch pad (bottom part of 35) being in electrical contact with at least one mating pad (bottom part of 66). See Figs. 1-5A and Column 5, Lines 4-34.

With regard to Claim 7, Hammond et al. discloses the electrical connections being broken by the switching block (50) engaging the switching contacts (66) and breaking the electrical connection between the first terminal switching pads (bottom part of 35) and the switching contact mating pads (bottom part of 66). See Figs. 1-5A and Column 5, Lines 4-34.

With regard to Claim 8, Hammond et al. discloses the certain of the first terminal contacts (eight contacts (35) in a row) being electrically grounded when the electrical connections between the certain first (eight contacts (35) in a row) and second terminal contacts (four contacts spaced for the first contacts) are broken. See Figs. 1-5A and Column 5, Lines 4-34.

With regard to Claims 10 and 18, Hammond et al. discloses the first terminal contacts (eight contacts (35) in a row) comprising positions 1-8 of a Category 3-6 compliant plug. See Figs. 1-5A and Column 5, Lines 4-34.

With regard to Claims 11 and 19, Hammond et al. discloses the certain first terminal contacts (eight contacts (35) in a row) comprising positions 3-6 of a Category 3-6 compliant plug. See Figs. 1-5A and Column 5, Lines 4-34.

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With regard to Claims 12 and 20, Hammond et al. discloses the certain second terminal contacts (four contacts spaced for the first contacts) comprising positions 3-6 of a Category 7 compliant plug. See Figs. 1-5A and Column 5, Lines 4-34.

With regard to Claim 15, Hammond et al. discloses the electrical connections being broken by the switching block (50) engaging the switching contacts (66). See Figs. 1-5A and Column 5, Lines 4-34.

With regard to Claim 16, Hammond et al. discloses the certain first terminal contacts (eight contacts (35) in a row) being electrically grounded when the electrical connections are broken. See Figs. 1-5A and Column 5, Lines 4-34.

Allowable Subject Matter

6. Claims 9 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims for the reasons given in the Office Action of September 25, 2002.

Response to Arguments

7. Applicant's arguments filed June 3, 2003 have been fully considered but they are not persuasive. In response to Applicant's arguments regarding Claims 1 and 13 that the Hammond et al. reference doesn't show certain of the tail end portions of the

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second terminal contacts are electrically connected to certain of the tail end portions of the first terminal contacts, Applicant's attention is directed to Fig. 2 in which the Hammond et al. reference clearly shows certain of the tail end portions (part of 35 connected to 30) of the second terminal contacts (four contacts spaced for the first contacts) are electrically connected to certain of the tail end portions (part of 35 connected to 30) of the first terminal contacts (eight contacts (35) in a row). Applicant is reminded that the tail end portions (part of 35 connected to 30) of both the first terminal contacts (eight contacts (35) in a row) and second (four contacts spaced for the first contacts) terminals are electrically connected by means of the jumper connector (60). Applicant's claims do not require the first and second contacts to be directly connected and for that reason the Examiner believes that Applicant's claims are broad enough to read on the Hammond et al. reference.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin A. León whose telephone number is (703) 308-6253. The examiner can normally be reached on Monday - Friday 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (703) 308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703)

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308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Edwin A. Leon

Edwin A. Leon
AU 2833

EAL
September 17, 2003

P. Austin Bradley

P. AUSTIN BRADLEY
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